

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S7925**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7925**

Ho Nomination—Cloture: Senate began consideration of the nomination of James C. Ho, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Pages S7925–26**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Don R. Willett, of Texas, to be a Circuit Judge, United States Court of Appeals for the Fifth Circuit. **Page S7926**

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Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7926**

A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, the cloture motions filed during today's session ripen at 5:30 p.m., on Monday, December 11, 2017. **Page S7926**

Nominations Confirmed: Senate confirmed the following nominations:

By 61 yeas to 38 nays (Vote No. EX. 310), Joseph Balash, of Alaska, to be an Assistant Secretary of the Interior. **Pages S7905–09, S7935**

Susan Parker Bodine, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency. **Pages S7909, S7935**

Messages from the House: **Page S7927**

Measures Referred: **Page S7927**

Measures Placed on the Calendar: **Page S7927**

Executive Communications: **Pages S7927–28**

Petitions and Memorials: **Page S7929**

Executive Reports of Committees: **Page S7929**

Additional Cosponsors: **Page S7930**

Statements on Introduced Bills/Resolutions: **Pages S7930–34**

Additional Statements: **Pages S7926–27**

Authorities for Committees to Meet: **Pages S7934–35**

Privileges of the Floor: **Page S7935**

Record Votes: Two record votes were taken today. (Total—311) **Pages S7909, S7925**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:21 p.m., until 4 p.m. on Monday, December 11, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7935.)

Committee Meetings

(Committees not listed did not meet)

DOD ACQUISITION REFORM

Committee on Armed Services: Committee concluded a hearing to examine Department of Defense acquisition reform efforts, after receiving testimony from former Representative Heather A. Wilson, Secretary of the Air Force, Mark T. Esper, Secretary of the Army, Ellen M. Lord, Under Secretary for Acquisition, Technology, and Logistics, and James F. Geurts, Assistant Secretary of the Navy for Research, Development, and Acquisition, all of the Department of Defense.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Kevin K. McAleenan, of Hawaii, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

21ST CENTURY CURES ACT IMPLEMENTATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine implementation of the 21st Century Cures Act, focusing on progress and the path forward for medical innovation, after receiving testimony from Francis S. Collins, Director, National Institutes of Health, and Scott Gottlieb, Commissioner of Food and Drugs, Food and Drug Administration, both of the Department of Health and Human Services.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Leonard Steven Gras, of Nebraska, to be United States Circuit Judge for the Eighth Circuit, James C. Ho, of Texas, to be United States Circuit Judge for the Fifth Circuit, Don R. Willett, of Texas, to be a Circuit Judge, United States Court of Appeals for the Fifth Circuit, Terry A. Doughty, to be United States District Judge for the Western District of Louisiana, Terry Fitzgerald Moorer, to be United States District Judge for the Southern District of Alabama, Mark Saalfeld Norris, Sr., to be United States District Judge for the Western District of Tennessee, Claria Horn Boom, to be United States District Judge for the Eastern and Western Districts of Kentucky, John

W. Broomes, to be United States District Judge for the District of Kansas, Rebecca Grady Jennings, to be United States District Judge for the Western District of Kentucky, and Robert Earl Wier, to be United States District Judge for the Eastern District of Kentucky.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 4581–4604; and 7 resolutions, H. Res. 648–654, were introduced. **Pages H9756–57**

Additional Cosponsors: **Pages H9757–58**

Reports Filed: Reports were filed today as follows:

H.R. 4015, to improve the quality of proxy advisory firms for the protection of investors and the U.S. economy, and in the public interest, by fostering accountability, transparency, responsiveness, and competition in the proxy advisory firm industry (H. Rept. 115–451);

H.R. 4324, to require the Secretary of the Treasury to make certifications with respect to United States and foreign financial institutions' aircraft-related transactions involving Iran, and for other purposes, with an amendment (H. Rept. 115–452); and

H.R. 1638, to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes, with an amendment (H. Rept. 115–453, Part 1).

Page H9756

Speaker: Read a letter from the Speaker wherein he appointed Representative Brat to act as Speaker pro tempore for today. **Page H9711**

Recess: The House recessed at 11:05 a.m. and reconvened at 12 noon. **Page H9717**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Steven E. Boes, Boys Town, Boys Town, Nebraska. **Page H9717**

Journal: The House agreed to the Speaker's approval of the Journal by a ye-a-and-nay vote of 215 yeas to 205 nays with two answering "present", Roll No. 668. **Pages H9717, H9731–32**

Recess: The House recessed at 3:40 p.m. and reconvened at 4:14 p.m. **Page H9742**

Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2017: The House

passed H.R. 477, to amend the Securities Exchange Act of 1934 to exempt from registration brokers performing services in connection with the transfer of ownership of smaller privately held companies, by a ye-a-and-nay vote of 426 yeas with none voting "nay", Roll No. 669. **Pages H9739–42, H9742–43**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–43 shall be considered as adopted. **Page H9722**

Agreed to:

Sherman amendment (No. 1 printed in part A of H. Rept. 115–443) that makes several changes that provide additional protections for investors and small businesses, which will align the bill with a Securities and Exchange Commission no-action letter issued January 31, 2014; specifically the amendment includes provisions that would prohibit passive buyers in the M&A transaction, prohibit M&A brokers from binding a party to a transfer of ownership, prohibit M&A brokers from providing financing for the transfer, and require M&A brokers that represent both the buyer and seller to disclose that to both parties and receive written consent. **Pages H9741–42**

H. Res. 647, the rule providing for consideration of the bills (H.R. 477) and (H.R. 3971) and the joint resolution (H.J. Res. 123) was agreed to by a ye-a-and-nay vote of 238 yeas to 188 nays, Roll No. 666, after the previous question was ordered by a ye-a-and-nay vote of 236 yeas to 190 nays, Roll No. 665. **Pages H9722–30**

Further Continuing Appropriations Act, 2018: The House passed H.J. Res. 123, making further continuing appropriations for fiscal year 2018, by a ye-a-and-nay vote of 235 yeas to 193 nays, Roll No. 670. **Pages H9722–39, H9743**

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